IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.1130 OF 2005
IN
SUIT NO.445 OF 1982

Akhtar Hazan Rizvi).. Plaintiff

Versus

Khanderao Ramrao Shivalkar & others).. Defendants

Mr.Rakesh Patel for the Plaintiff.

None present for the Defendants.

CORAM: SMT.NISHITA MHATRE, J.

DATED: 5TH DECEMBER 2005

P.C.:

. This Chamber Summons has been filed to set aside the abatement of the Suit against Defendant No.18 and to permit the Plaintiff to carry out the amendment to the Plaint in order to bring on record the heirs and legal representatives of Defendant No.18.

2. Nobody appears for the Defendants.

3. For the reasons set out in the affidavit in support of the Chamber Summons, Chamber Summons allowed in terms of prayer clauses (a) and (b).

4. Amendment to be carried out within two weeks.

5. Chamber Summons disposed of accordingly.

office objections. It has been rejected on 2nd May 2000. The original Plaintiff expired on 8th June 2001 leaving behind the Applicants as her heirs and legal representatives. The Applicants, therefore, pray by this Chamber Summons that the delay of four years and three months in taking out the Chamber Summons be condoned. They further pray that they may be joined as party Plaintiffs. It is also prayed that the rejection of the Suit be set aside and the Applicants be permitted to remove the office objections.

2. The Chamber Summons has been served on the Defendants. Nobody appears for the Defendants.

3. For the reasons set out in the affidavit in support of the Chamber Summons, Chamber Summons allowed. Office objections to be removed within two weeks from today.